



**Select Board**  
Regular Meeting  
Tuesday November 24, 2020 @ 6:00pm  
Via Zoom Remote Access

MINUTES

I. Chair Kristin Hutchins called the meeting to order at 6:03 pm;  
Present: Board members Carolyn Ball, Snap Willey, Chad Terry, George Jellison.  
Town Manager, Justin VanDongen; Town Clerk, Marilyn Lowell, and Deputy Code Officer Jesse Dunbar.

II. Visitors - None

III. Minutes of November 17, 2020.

Motion by Ball to accept the minutes of November 17, 2020 as presented. Second by Jellison.  
Passed 5-0-0.

IV. Manager's Report:

Fibrigh Plant – The Manager spoke with Mike Carroll, the Director at MRC, most of the information regarding the sale of the plant is still confidential at this point, two potential buyers are in the process of doing their due diligence work. They are hopeful to restart the plant by mid-February if the sale goes through. Southwest Harbor's waste is currently going to PERC and being turned into energy. Terry expressed concern about the amount of extra waste generated due to the COVID-19 pandemic and the need to resort back to separating out recyclables by summer 2021 if the Fibrigh plant has not opened back up by that point.

V. New Business

- a. Discussion and Establishment of Marijuana Fee Schedule – Ball went over an excel sheet she that displayed the potential costs to the town based on hours of processing applications and enforcement. Assuming it would take 10 hours for each department involved, the added cost to the town was estimated at \$3966 according to Ball's calculations. Jellison expressed his opinion that the added work is just part of the job requirements and he does not anticipate an enforcement issue. Ball added she believes the Police department would be doing added community outreach with kids, as well as the fact the field sobriety test for Marijuana would be more nuanced than a sobriety test for alcohol, hence the need for more training. Terry felt the added cost to the town should be reflected in the budget and passed

onto the tax payers versus being included in the cost of the license fee for the businesses. It was suggested \$500 for the licensing fees would be sufficient, discussion ensued about the proposed fee and whether or not it should be higher, and if so how the Board would justify it.

Motion by Ball to set the licensing fee for all categories of marijuana licenses at \$500. Second by Terry. Passed 5-0-0.

Discussion was had on the final draft of the marijuana application. The Board was in agreement with the changes made after the last meeting, the licensing fees need to be updated per the motion just passed tonight to set the fee at \$500 for all categories as well as removing cultivation facilities above tier 2. Jellison asked if the town should have an attorney review the application, Terry was in agreement. The Manager did not think that would be necessary, however he does advise the Board have an attorney present at the meeting in which the applications are reviewed and the licenses awarded, adding it would be beneficial to have the attorney make sure the Board goes through the appropriate steps and follows the ordinance.

Motion by Ball to approve the Application for Marijuana License as amended. Second by Willey. Passed 5-0-0.

The consensus of the Board was attorney review of the application was not necessary.

- b. Personnel Policy Update – The Manager updated the policy to include deductible and coinsurance, and reflect similar wording to that in the union contract. Ball had several concerns with the policy including confusion about wording, definitions, and monetary amounts being included in the policy. After further discussion it was determined the Manager will sit down with Ball and go over the policy updating.

## VI. Old Business

- a. Town Garage – The Manager spoke with one of the owners of the building at 13 Mountain View Rd and relayed the decision of the Board regarding the neighborhood issues as well as the price issue.

The Infrastructure Committee met last week and discussed how to proceed with the town garage. The Committee recommended bringing the Board two options. The first option would be to look at the plan that was defeated, look at ways it could be adjusted, and send it back out to bid. The second option would be to design a smaller two bay building with pole barn for cold storage. Jellison expressed he felt the project being defeated by only 9 votes was a timing issue and should be looked at again. The goal would be to put the project out to bid by January or February for a potential vote at town meeting in May, the building would be ready by fall.

Hutchins liked the idea of pairing down the original plan. Jellison would like to see the schematics of the plan to determine what is there, he has received a lot of feedback on how it could be done differently to save money.

Motion by Hutchins to have the infrastructure committee revisit the original plan and look for cost saving adjustments. Second by Terry. Passed 5-0-0.

The Manager relayed that we have initiated a discussion with Tremont about a possible lease option for this winter. Will know more as the conversation advances.

School Board Member John Izenhour expressed his concern for the bus storage this winter as the bus schedule due to COVID-19 is highly complex and they wish to avoid any disruption or slow down. The Manager informed him the buses would remain where they are for this winter.

VII. Other Business: Hutchins informed the Board that the Southwest Harbor/ Tremont Ambulance service has had a lot of feedback from the public in recent weeks, the service is doing a lot of work to mitigate the problems they are facing, there are challenges, but she wanted to relay the good work the service is doing.

Municipal Quitclaim Deed – Lowell explained the office received a request from a title company to issue a quitclaim deed for a lien filed in 2006 that is believed to have been paid, but improperly recorded at the registry of deeds. Lowell and the Manager searched as far back as our current tax system goes, as well as the registry and both are comfortable that the lien was paid and did not get properly discharged.

Motion by Ball to issue a municipal quitclaim deed to release the lien on 21 Mountain View Road, owned by Francine and John Mayhew from 2006. Second by Jellison. Passed 5-0-0.

Discussion was had on a quote the Manager received to purchase a snow blower attachment for the Bobcat. The Quote was \$5301.00. The funds will come out of the highway CIP line item for the snow blower attachment that has approximately \$5000.00 in it currently.

VIII. Motion by Ball to go into Executive Session pursuant to 1 M.R.S.A § 405(6)(A) to discuss the contract of the Town Manager, at 7:20PM. Second by Jellison. Passed 5-0-0.

Motion by Jellison to come out of Executive Session pursuant to 1 M.R.S.A § 405(6)(A) to discuss the contract of the Town Manager, at 7:57PM. Second by Willey. Passed 5-0-0.

Motion by Ball to expend \$5301.00 from the highway CIP for the purchase of a snow blower attachment for the Bobcat. Second by Willey. Passed 5-0-0.

VIII. Accept

Motion by Terry to accept:

General Fund Warrants: FY 21 #50

Payroll Warrants: FY 21: #1125, #49

School Warrants: FY 21 #46, #47, #48

Second by Willey. Passed 5-0-0

X. Adjourn

Motion by Terry to adjourn the meeting at 8:01 pm. Second by Willey. Passed 5-0-0

JD

